



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on February 25, 2003

NOTICE OF ACTION TAKEN -- DOCKET OST-2002-11906

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: JETCONNECTION BUSINESSFLIGHT A.G.

Date Filed: March 21, 2002

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct, using small equipment (see below), charter operations, carrying persons, property and mail, as follows: between any point or points in Germany and any point or points in the United States; and between any point or points in the United States and any point or points in a third country or countries, provided that, except with respect to cargo charters, such service constitutes part of a continuous operation, with or without change of aircraft, that includes service to Germany for the purpose of carrying local traffic between Germany and the United States; and other charter operations pursuant to 14 CFR Part 212.

If renewal, date and citation of last action: New authority.

Applicant representative: Sheryl R. Israel, 202-663-8312 DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None

DISPOSITION

Action: Approved.

Action date: February 25, 2003

Effective dates of authority granted: February 25, 2003, through February 25, 2005

Basis for approval: The United States-Germany Air Transport Agreement, as amended.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Remarks/Special conditions: Based on the record in this case and in the case of the applicant's request for a foreign air carrier permit (filed on March 21, 2002, in Docket OST-2002-11905), we found that the applicant is operationally and financially qualified to conduct its proposed operations and that it is substantially owned and effectively controlled by citizens of Germany. Also, the FAA advised us that it knows of no reason to withhold this authority. Moreover, in the conduct of the operations described above, the carrier may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

**Action taken by: Paul L. Gretch, Director
Office of International Aviation**

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov/reports/reports_aviation.asp*